

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,)	Cause No.	CR 11-70-BLG-JDS-01
)		
Plaintiff,)		
)		
vs.)		
)		
MICHAEL BRYANT, JR.,)		O R D E R
)		* * * * *
Defendant.)		

Defendant has moved for a continuance of the trial presently set for October 24, 2011 on the grounds that defendant needs additional time to investigate and prepare for trial. After considering the factors set forth in 18 U.S.C. Section 3161(h)(8), I find the ends of justice served by granting a continuance outweigh the best interests which the public and defendant have in a speedy trial. I further find that the delay is reasonable.

Based on the foregoing,

IT IS ORDERED:

1. Defendant's motion for a continuance (Docket No. 17) is granted and the October 24, 2011 trial setting is vacated.
2. Trial of this case is reset to commence before the

Honorable Jack D. Shanstrom, sitting with a jury, at 9:00 o'clock a.m. on December 19, 2011.

3. The fifty-six (56) days between October 24, 2011 and December 19, 2011 are excludable under 18 U.S.C. Section 3161(h)(7)(B)(I) for purposes of the Speedy Trial Act.

4. All pretrial motions and supporting briefs, excluding motions in limine, shall be filed on or before the 7th day of November, 2011. Opposing parties must file responsive briefs within seven (7) days of the motion.

5. All requests for services of subpoenas by the United States Marshal must be on file in the Clerk of Court's office no later than twenty-one (21) days before trial.

6. Any motion for change of plea must be received in the office of the Clerk of Court, Billings, Montana, no later than five working days before the trial setting. Any plea agreement shall be signed by all parties and received in the office of the Clerk of Court, Billings, Montana, no later than 48 hours before the change of plea hearing. In the absence of a motion or signed plea agreement by these dates, the Clerk of Court will order a jury, and the Court may assess costs or impose other sanctions.

7. Originals of proposed voir dire questions shall be on file with the Clerk of Court, Billings, Montana, no later than the Wednesday before the trial setting; two working copies shall be provided directly to the presiding judge.

8. Submission of jury instructions shall be in accordance with the guidelines set forth in this Court's original scheduling

order.

To enable the Court to operate in the most efficient manner possible, it is essential that this schedule be strictly adhered to by the parties.

The Clerk of Court shall forthwith notify the parties of the making of this order.

DONE and **DATED** this 13th day of October, 2011.

/s/ Jack D. Shanstrom

Senior United States District Judge